

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JOHN K. RICHARDSON,

Plaintiff,

v.

DONALD WILLIAMSON, et al.,

Defendants.

Civil Action No. 08-1283 Erie

**MEMORANDUM ORDER**

This civil rights action was received by the Clerk of Court on September 15, 2008, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation [Doc. No. 26], filed on February 15, 2010, recommended that the motion to dismiss filed by Defendants Williamson, Brooks, Giroux, Harlow and Clark [Doc. No. 23] be granted, and that the remainder of the action be dismissed due to the Plaintiff's failure to prosecute. The parties were allowed ten (10) days from the date of service to file objections and service was made on Plaintiff by certified mail. No objections were filed. After de novo review of the motion and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 8<sup>th</sup> day of March, 2010;

IT IS HEREBY ORDERED that the motion to dismiss filed by Defendants Williamson, Brooks, Giroux, Harlow and Clark [Doc. No. 23] is GRANTED, and the remainder of the Plaintiff's case is DISMISSED for failure to prosecute. The Clerk of Courts is directed to mark the case closed.

The Report and Recommendation [Doc. No. 26] of Magistrate Judge Baxter, filed on February 15, 2010, is adopted as the opinion of the Court.

s/ Sean J. McLaughlin  
United States District Judge

cm: All parties of record  
Susan Paradise Baxter, U.S. Magistrate Judge